UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,841	04/10/2001	Takayuki Sugiura	1466.1036	7530

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EXAMINER
EBRAHIMI DEHKORDY, SAEID

ART UNIT	PAPER NUMBER
2625	

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/828,841	SUGIURA ET AL.
	Examiner	Art Unit	
	Saeid Ebrahimi-dehKordy	2625	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>20 July 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1 and 3-17</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) <u>9,11,15 and 16</u> is/are allowed.

6)☒ Claim(s) <u>1,3-7,10,12,13 and 17</u> is/are rejected.

7)☐ Claim(s) <u>8 and 14</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Response to Arguments

1.   Applicant's arguments with respect to claims 1, 3-7, 10, 12-13 and 17 have been

considered but are moot in view of the new ground(s) of rejection. In the interview done by

telephone Applicant representative Mr. Michael Badagliacca concern was the HTTP protocol

ant the way it was used to transmit data from the client to the server and printer. The concern was

that he HTTP protocol was used to support and not actually transmit the data. the new presented

art (Wolff U.S. patent 6,738,841) would disclose the way HTTP is actually used to transmit the

data over the network.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claims 1, 4-6 and 13 rejected under 35 U.S.C. 103(a) as being unpatentable over

Krishnan (U.S. patent 6,157,950) in view of Wood et al (U.S. patent 6,453,127) and further in

view of Wolff (U.S. patent 6,738,841)

Regarding claim 1 Krishnan discloses: in the client adding a header including

information about the printer to be used to the print data so as to transmit the print data

in the print server (note Fig.2 column 4 lines 60-67 and column 5 lines 1-24 where the

header is included on the print job to specify the information of the printer including the

address and location of the specific printer on the network also note column Fig.6,

column 10 lines 27-38 and specifically lines 33-36 where the packet is added to the print

job to include designated information on the designated printer like the IP address of the

printer 72) receiving the print data and transmitting the print data to the printer in

accordance with the header of the print data in the printer and printing the print data

(note column 10 lines 27-38) However Krishnan does not clearly disclose and in the

print server converting a result of the printing or information about the printer into a

hypertext and transmitting the result or the Information to the client. On the other hand

Wood et al disclose: and in the print server (note Fig.2 item 30 which in this case would be

used as also print server the way it stores and routes print job from the client 11 to the

printer 15, as most of the print server do this function) converting a result of the printing or

information about the printer into a hypertext and transmitting the result or the information

to the client (note Fig.2 item 15 the printer where the results of the printing data is and error

message is generated and through the Bus 26 is send back to the sever 30 and form then

on to the user at workstation 11 through the TCP/IP or HTTP which both are used in this

case , "note Wood column 4 lines 45-56" and note Fig.2 item 18 the HTTP connection

between the user and server 30, column 6 lines 55-65).However neither Krishna nor wood

et al clearly disclose: A print control method for transmitting print data from a client to a

print server managing a printer to print by the printer in a network environment, the

method comprising: using HTTP as a communication protocol between the client and

the print server. On the other hand Wolff discloses: A print control method for

transmitting print data from a client to a print server managing a printer to print by the

printer in a network environment, the method comprising: using HTTP as a

communication protocol between the client and the print server (note Fig.1 column 5

lines 4-8 where the HTTP is used to transmit data to the web or print server as well as

transmitting the data from the server to the printer. Therefore it would have been

obvious to a person of ordinary skill in art at the time of the invention to modify

Krishnan's and wood et al's invention according to the teaching of Wolff , Where Wolff is

the same field of endeavor teach the way the HTTP is used to transfer the data from the

client to the server or from the server to the printer, note that is wood reference

transmitting the notification of the printer could very well done by use of the Wolff

teachings using the HTTP protocol.

Regarding claim 4 Wood et al disclose: The print control method according to claim 1,

Further comprising monitoring a state of the printer and generating a hypertext

describing the state of the printer in the print server (note Fig.2 item 15 the printer where

the results of the printing data is and error message is generated and through the Bus 26 is

send back to the sever 30 and form then on to the user at workstation 11 through the

TCP/IP or HTTP which both are used in this case, "note Wood column 4 lines 45-56" and

note Fig.2 item 18 the HTTP connection between the user and server 30, column 6 lines

55-65).

Regarding claim 5 Wood et al disclose: The print control method according to claim 1,

further comprising: managing printer information such as an address, a type or a

protocol of the printer, or a name of the printer; memorizing the printer information for

each printer', and generating a hypertext describing the printer information by the print

server (note column 5 lines 54-67 and column 6 lines 1-34)

Regarding claim 6 Wood et al disclose: The print control method according to claim 1, further comprising: memorizing the printer information in the printer and acquiring the printer information using SNMP as a communication protocol so as to monitor the state of the printer in the print Server (note column 6 lines 40-65).

Regarding claim 13 Wood et al disclose: The print control method according to claim 1, wherein the adding of the header comprises adding a header including information about a printer location the method further comprising: generating information about the communication protocol in the print server (note column 4 lines 34-52).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claim 7 rejected under 35 U.S.C. 103(a) as being unpatentable over Miura et al (U.S. patent 6,862,103) in view of Kirshnan (U.S. patent 6,175,950) and further in view of Wolff (U.S. patent 6,738,841).

Regarding claim 7 Miura et al disclose: A print server (note Fig.1 item 106) for managing a printer in a network environment (note Fig.1 the server 106, client 101 and the network 105) the printer server comprising: a HTTP receiving unit that receives print data using HTTP as a communication protocol (note Fig.1 column 10 lines 23-29 where HTTP is used for transmitting data between the server and client) and a PDL converting unit that judges whether the print data is an appropriate PDL file for printing in the

printer, and converts the print data into the appropriate PDL file corresponding to the

printer when the print data is not the appropriate PDL file for printing in the printer (note

Abstract, also note column 13 lines 15-27 where the data is converted to the PDL data

which would be acceptable to the receiving printer). However Miura et al does not

clearly disclose: a print data transmitting unit that transmits the print data to a printer as

an output target in accordance with a HTTP header of the print data. On the other hand

Krishnan discloses: a print data transmitting unit that transmits the print data to a printer

as an output target in accordance with a HTTP header of the print data (note Fig.2

column 4 lines 60-67 and column 5 lines 1-24 where the header is included on the print

job to specify the information of the printer including the address and location of the

specific printer on the network also note column Fig.6, column 10 lines 27-38 and

specifically lines 33-36 where the packet is added to the print job to include designated

information on the designated printer like the IP address of the printer 72). However

neither Krishna nor wood et al clearly disclose: A print control method for transmitting

print data from a client to a print server managing a printer to print by the printer in a

network environment, the method comprising: using HTTP as a communication

protocol between the client and the print server. On the other hand Wolff discloses: A

print control method for transmitting print data from a client to a print server managing a

printer to print by the printer in a network environment, the method comprising: using

HTTP as a communication protocol between the client and the print server (note Fig.1

column 5 lines 4-8 where the HTTP is used to transmit data to the web or print server as

well as transmitting the data from the server to the printer). Therefore it would have

been obvious to a person of ordinary skill in art at the time of the invention to modify

Miura et al's invention according to the teaching of Krishnan, where Krishnan teaches

the way the communication data would be manipulated and formatted to be converted

to the PDL data, which would be compatible, by the receiving printer. Also it would have

been obvious to a person of ordinary skill in art at the time of the invention to modify

Krishnan's and Miura et al's invention according to the teaching of Wolff ,Where Wolff is

the same field of endeavor teach the way the HTTP is used to transfer the data from the

client to the server or from the server to the printer, note that is wood reference

transmitting the notification of the printer could very well done by use of the Wolff

teachings using the HTTP protocol.

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

7.   Claim 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnan (U.S.

patent 6,157,950) In view of Wood et al (U.S. patent 6,453,127) in view of Wolff (U.S. patent

6,738,841) and further in view of Slick et al (U.S. patent 7,003,667)

Regarding claim 3 neither Wood et al nor Krishnan disclose: The print control method

according to claim 1, wherein the header of the print data is removed by the print server

before transmitting the print data to the printer. On the other hand Slick et al disclose:

print control method according to claim 1, wherein the header of the print data is removed by the print server before transmitting the print data to the printer (note column 15 lines 46-50 where if decided that the header is not to be send, the header would be extracted). Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Wood et al' and Krishnan's invention according to the teaching of Slick et al, where Slick et al teach the way print data and header would be altered as to send the print job after extracting the header.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 10, 12 and 17 rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnan (U.S. patent 6,175,950) in view of Wolff (U.S. patent 6,738,841)

Regarding claim 10 Krishnan discloses: A recording medium that can be read by a computer having a WWW server function (note column 9 lines 37-42) the recording medium storing a program comprising: adding a header to the print data including information about a printer designated by the client (note column Fig.6, column 10 lines 27-38 and specifically lines 33-36 where the packet is added to the print job to include designated information on the designated printer like the IP address of the printer 72) and transmitting the print data to the printer (note column 6 lines 28-38).

However Krishnan does not disclose: using HTTP as a communication protocol so as to receive print data to be printed from a client. On the other hand Wolff discloses: using HTTP as a communication protocol so as to receive print data to be printed from a client server (note Fig.1 column 5 lines 4-8 where the HTTP is used to transmit data to the web or print server as well as transmitting the data from the server to the printer). Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Krishnan's invention according to the teaching of Wolff , Where Wolff is the same field of endeavor teach the way the HTTP is used to transfer the data from the client to the server or from the server to the printer, note that is wood reference transmitting the notification of the printer could very well done by use of the Wolff teachings using the HTTP protocol.

Regarding claim 12 Krishnan discloses: A print control method comprising: adding a header including information about a printer to the received print data (note Fig.2 column 4 lines 60-67 and column 5 lines 1-24 where the header is included on the print job to specify the information of the printer including the address and location of the specific printer on the network also note column Fig.6, column 10 lines 27-38 and specifically lines 33-36 where the packet is added to the print job to include designated information on the designated printer like the IP address of the printer 72) However Krishnan dose not clearly disclose: receiving print data using HTTP. On the other hand Wolff discloses: receiving print data using HTTP (note Fig.1 column 5 lines 4-8 where the HTTP is used to transmit data to the web or print server as well as transmitting the data from the server to the printer). Therefore it would have been obvious to a person of

ordinary skill in art at the time of the invention to modify Krishnan's invention according

to the teaching of Wolff , Where Wolff is the same field of endeavor teach the way the

HTTP is used to transfer the data from the client to the server or from the server to the

printer, note that is wood reference transmitting the notification of the printer could very

well done by use of the Wolff teachings using the HTTP protocol.

Regarding claim 17 Krishnan discloses: The print control method according to claim

12, further comprising: transmitting the print data and the header simultaneously from

the client to a sever (note column 10 lines 27-38).

Allowable Subject Matter

9.   Claims 9, 11 and 15-16 are allowed.

10.   Claims 8 and 14 objected to as being dependent upon a rejected base claim, but would be

allowable if rewritten in independent form including all of the limitations of the base claim and

any intervening claims.

Contact Information

> Any inquiry concerning this communication or earlier communications from the
> examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number
> is (571) 272-7462.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to

5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Kimberly Williams, can be reached at (571) 272-7471.

Any response to this action should be mailed to:

Art Unit: 2625ᵗˢ

Assistant Commissioner for Patents

Washington, D.C. 20231

Or faxed to:

(571) 273-8300, (for *formal* communications; please mark
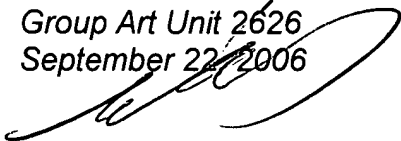**"EXPEDITED PROCEDURE")**

Or:

(703) 306-5406 (for *informal* or *draft* communications, please label
"PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Knox building on 501 Dulany
Street, Alexandria, VA.

Any inquiry of a general nature or relating to the status of this application should be
directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy
Patent Examiner
Group Art Unit 2626
September 22, 2006

KING Y. POON
PRIMARY EXAMINER